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132076UL (SPLG 12553-1020)

**REMARKS**

Claims 1-20 are pending in this application. Claims 1-20 are rejected. No new matter has been added. It is respectfully submitted that the pending claims define allowable subject matter.

Claims 1, 2, 5-10 and 13-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,023,343 (Hoang) in view of U.S. Patent Application Publication No. 2004/0084971 (Shukla). Claims 3, 11, and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoang in view of Shukla, and further in view of U.S. Patent Application Publication No. 2003/0053109 (Lester). Claims 4, 12, and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoang in view of Shukla, and further in view of U.S. Patent Application Publication No. 2002/0063880 (Raney). Applicant respectfully traverses these rejections for at least the reasons set forth hereafter.

Independent claim 1 recites a method for managing outputs to peripheral devices in medical systems devices, wherein the method includes, among other things, “storing the data object in a first memory if the peripheral device is not accessible and not available to accept the data object....”

Independent claim 9 recites an imaging system including, among other things, a processor configured to, among other things, “instruct to store the data object in a first memory if the peripheral device is not in an active state and not available to accept the data object....”

Applicant submits that Hoang and Shukla, considered alone or in combination, fail to describe or suggest storing a data object in a first memory if a peripheral device is not accessible and not in an active state. Rather, the peripheral devices of Hoang and Shukla would have to be either accessible or active, otherwise the system of Hoang could not make a determination as to whether system resources of the peripheral device are free, and the apparatus of Shukla could not

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examine a volatile task queue that resides within the peripheral device to find at least one task and calculate the amount of electrical energy required for the task.

Hoang describes using a hard disk drive resident in a printer to temporarily store some of the page data of print jobs received by the printer based on the use of a RAM memory area. Essentially, based on the required or needed usage of the RAM, data for print jobs is temporarily stored in a hard disk of the printer to free some of the RAM memory. As admitted on page 3 of the outstanding Office Action, Hoang fails to describe or suggest "storing data in a first memory under the condition of 'if the peripheral device is not accessible' (as per claims 1 and 17) or 'if the peripheral device is not in an active state' (as per claim 9)." Rather, the system of Hoang makes a determination as to whether system resources of a printer are free, but does not determine at any time whether the printer is accessible or active. Indeed, in order for the system of Hoang to even make a determination of whether RAM locations are needed or free, the printer would have to be accessible and/or active, otherwise the system could not acquire this information.

Shukla describes a method and apparatus for handling power supply failures to a peripheral device in a data processing system. The method includes monitoring a power supply to determine whether the electrical power is going from "on" to "off." If the electrical power is going from "on" to "off," the method includes examining a volatile task queue for the peripheral device to find at least one task, calculating the amount of electrical energy required for the task, performing the task if sufficient electrical energy remains available to the peripheral device to complete the task, and storing data describing the task in a non-volatile task queue in a non-volatile memory if insufficient electrical energy remains available to the peripheral device to complete the remaining task. The volatile task queue resides within the peripheral device, while the non-volatile memory may reside within the peripheral device or may reside outside the peripheral device.

Shukla does not describe or suggest storing a data object in a first memory if a peripheral device is not accessible and not in an active state. Rather, similar to Hoang, the peripheral

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device of Shukla would have to be either accessible or active, otherwise the system could not examine the volatile task queue that resides within the peripheral device to find at least one task and calculate the amount of electrical energy required for the task. Shukla does not describe or suggest that the volatile task queue could reside outside the peripheral device.

On page 3 of the outstanding Office Action, the Examiner asserts that Shukla describes determining that "the peripheral device is not in an active state (although it might be online or on, but not active as in printing a task/job), because the tasks that are checked if they can be performed, are in a task queue thus the device is not active with the tasks." Applicant disagrees that the term "active state" is limited to "active as in printing a task/job". Rather, Applicant submits that the term "active state" may include, but is not limited to including, being online, energized, and/or on, and/or printing a task and/or a job. Moreover, even though the device includes a task queue of tasks/jobs not yet being performed, the device may be performing a task/job that is at the top of the queue. For these additional reasons, Applicant submits that Shukla does not describe or suggest storing a data object in a first memory if a peripheral device is not in an active state.

Accordingly, because Hoang and Shukla individually fail to describe or suggest one or more elements of each of independent claims 1 and 9, a combination of Hoang and Shukla cannot describe or suggest such element(s). Independent claims 1 and 9 are each therefore submitted to be patentable over Hoang in view of Shukla.

Neither Lester nor Raney, considered alone or in combination, make up for the deficiencies of the combination of Hoang and Shukla with respect to claims 1 and 9.

Claims 2-8 and 10-16 depend from independent claims 1 and 9, respectively. When the recitations of claims 2-8 and 10-16 are considered in combination with the recitations of respective claims 1 and 9, Applicant submits that dependent claims 2-8 and 10-16 are likewise patentable over the cited art for at least the reasons set forth above with respect to respective claims 1 and 9.

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Independent claim 17 is submitted to be patentable over the cited art for at least the reasons set forth above with respect to independent claim 1.

Claims 18-20 depend from independent claim 17. When the recitations of claims 18-20 are considered in combination with the recitations of claim 17, Applicant submits that dependent claims 18-20 are likewise patentable over the cited art for at least the reasons set forth above.

In view of the foregoing amendments and remarks, it is respectfully submitted that the prior art fails to teach or suggest the claimed invention and all of the pending claims in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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